

4.2.  
3/2/97

## COPPER RANGE UPDATE

Dateline: Chicago - 3/2/97

US EPA RECORDS CENTER REGION 5



1004937

### Contractors:

PRC gave a presentation to EPA on the draft mine filling models and the human health and ecological risk models. A few changes were requested by EPA and PRC expects to get the revised finished draft product to EPA by 5/13. SAIC sent draft work products on the transportation risk analysis, emergency response plans review and economic valuation of the project. The various teams have reviewed the products and provided comments to SAIC. SAIC is revising the work products accordingly. SAIC has completed the draft write up of the cultural impact section and expects to deliver it to EPA by 5/5.

GLIFWC has hired two consultants to assist in the development of an assessment of treaty-preserved resources at the site. They expect to have a report to EPA by June 1st.

### Teams:

The teams have been holding meetings and reviewing work products submitted by the consultants.

The minutes from the workgroup meetings have been placed on the EPA website for the CRC project.

The Wisconsin State Historic Preservation Office responded to an EPA request by providing a list of state and federal national historic preservation sites in Wisconsin. SAIC is determining if any of these sites are in an area of potential impact from the transportation of acid.

EPA received a letter from U.S. Fish & Wildlife that there are no endangered or threatened species at the mine site.

EPA received a letter from the Michigan State Historic Preservation Office that there are no historic properties within the area of potential effects of the project.

### Permit:

EPA financial experts are reviewing the financial assurance documents for the permit. EPA met with PRC to discuss the mine filling model.

### Tribal Activities:

The Red Cliff, Bad River and Keweenaw Bay tribes have filed a formal notice of dispute in accordance with the dispute resolution procedures in the EAn guidelines.

The points of contention are the timeframe for completion of the EAn, the timeframe for assessing tribal resources and the inclusion of consultants and other team leaders in tribal team matters. The next step in the dispute resolution process is informal discussions with the tribes to resolve the issues.

Correspondence:

A number of letters have been received from the public on both sides of the issues.

During the FY 98 EPA Budget hearings, Rep. Knollenberg submitted a list of questions that he wanted the EPA to respond to in writing. The list included two questions on Copper Range. The EAn project manager submitted a response to the questions to HQ on 5/2.

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1/97

Indoor Environments Division Partner Alert  
U.S. Environmental Protection Agency  
January 1997

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**Potential Association Between Indoor Mold Growth  
and Pulmonary Hemorrhage in Infants**

The Centers for Disease Control and Prevention (CDC) of the Public Health Service has recently asked for our help to publicize the apparent association between mold contamination of the indoor environment and a number of cases of infant pulmonary hemorrhage that CDC has investigated. During the last 4 years several infants have experienced pulmonary hemorrhage or bleeding from the lungs - some of them died. CDC investigators believe that an association may exist between infant pulmonary hemorrhage and the indoor mold *Stachybotrys atra*.

The Environmental Protection Agency and CDC believe it is important to recognize the symptoms of pulmonary hemorrhage and to avoid exposing infants to indoor molds. CDC would also like to continue the investigation and identify other possible cases. While we do not want to create undue alarm or misstate the possible relationship between infant pulmonary hemorrhage and *Stachybotrys atra*, public awareness of the symptoms and causes of pulmonary hemorrhage could save lives.

The following key points are adapted from the CDC brochure "Important Facts about Pulmonary Hemorrhage" and the January 17, 1997 issue of CDC's *Morbidity and Mortality Weekly Report*.

Please help us disseminate this information to the public health community, encourage people to report any case of pulmonary hemorrhage with an unknown cause in an infant (under 1 year of age) to the CDC, and let us know how your efforts progress.

Thanks for your help.

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**Symptoms of Pulmonary Hemorrhage**

Pulmonary hemorrhage is bleeding in the lungs. Symptoms include coughing up blood and nosebleed. If you notice these symptoms in your infant, get medical attention immediately. It can be fatal in infants under 1 year of age.

**Causes of Pulmonary Hemorrhage**

While research is ongoing about this rare but deadly disease, CDC's investigation suggests that one of the causes of infant pulmonary hemorrhage may be toxins

from the indoor mold in the infants' environment. These toxins may irritate the lining of the infants lungs and weaken developing blood vessels, eventually leading to pulmonary bleeding. In addition, CDC indicates that exposure to tobacco smoke in addition to this indoor mold may increase an infant's risk of pulmonary hemorrhage. Pulmonary hemorrhage has also been linked with allergy to cow's milk, pneumonia, heart/ lung/ spleen/ pancreas problems, and other infections/ allergies/ immunological diseases.

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***Stachybotrys atra***

The mold suspected to be associated with pulmonary hemorrhage is *Stachybotrys atra*. *Stachybotrys* is black or green-black and has a slimy appearance. This mold grows primarily on materials such as wood and wood based products, paper, or other cellulose products which have become and remain wet. It is not typically found in dry or simply humid locations or on bread, shower tiles, plastic, vinyl, concrete, or ceramics.

**Cleanup of Mold Growth**

Fix all leaks and eliminate water sources associated with the mold growth. Clean hard surfaces with a solution of bleach and water (1½ cups of bleach per gallon of water); make sure to ventilate the area when using chlorine bleach (note: do not add detergents which contain ammonia to the solution of bleach and water - toxic fumes could result). Some experts suggest that persons performing the cleanup wear filter masks and gloves to avoid contact with the mold. Let the bleach and water mixture sit for 15 minutes and then dry the area thoroughly. Porous materials that are wet and cannot be thoroughly cleaned and dried should be discarded, as they can remain a source of mold growth.

To report a case of pulmonary hemorrhage with an unknown cause in an infant (under 1 year of age) or to obtain the publications marked with an asterisk below, please contact the Centers for Disease Control and Prevention at (770) 488-7320.

**For Additional Information:**

\*Centers for Disease Control and Prevention. *Important Facts about: Pulmonary Hemorrhage*. Pamphlet September 1996.

\*Centers for Disease Control and Prevention. *Update on Pulmonary Hemorrhage/ Hemosiderosis Among Infants - Cleveland, Ohio, 1993-1996*. Morbidity and Mortality Weekly Report, Vol. 46, No. 2, January 17, 1997. (Internet <http://www.cdc.gov/cdc.htm>)

\*Centers for Disease Control and Prevention. *Acute Pulmonary Hemorrhage/*

***Hemosiderosis Among Infants - Cleveland, January 1993-November 1994. Morbidity and Mortality Weekly Report, Vol. 43, No. 48, December 9, 1994. (Internet <http://www.cdc.gov/cdc.htm>)***

Several fact sheets and other indoor air quality related publications including "Biological Pollutants in Your Home" and "Flood Cleanup: Avoiding Indoor Air Quality Problems" are available from:

Indoor Air Quality Information Clearinghouse  
P.O. Box 37133  
Washington, DC 20013-7133  
(800)-438-4318 or (202)-484-1307

***\*Montana, E., Etzel, R., Allan, T., Horgan, T., and Dearborn, D. Environmental Risk Factors Associated with Pediatric Idiopathic Pulmonary Hemorrhage and Hemosiderosis in a Cleveland Community. Pediatrics, Vol. 99, No. 1, January 1997. (Internet <http://www.pediatrics.org/cgi/content/full/99/1/e5>)***

U.S. Environmental Protection Agency, Indoor Environments Division web site  
<http://www.epa.gov/iaq/>

### Endangered Species/Cultural Resources

Lead: Carol Alexander / 886-4244

Backup: Michael MacMullen / 886-7342

<i>MI</i>	<i>U.S. Fish and Wildlife Service</i>
Contact(s) / Phone(s)	
	<i>U.S. Park Service</i>
Contact(s) / Phone(s)	
	<i>Advisory Council on Historic Preservation</i>
Contact(s) / Phone(s)	
	<i>State of Wisconsin Historic Preservation Office</i>
Contact(s) / Phone(s) <i>State of Michigan HPO</i>	
<i>Bureau of Indian Affairs</i>	

# Communications Strategy Copper Range Mine

Revision 4

**Issue:** Copper Range Co., under a State of Michigan permit, is chemically mining copper using a sulfuric acid solution. EPA determined that the pilot-scale phase of the project was authorized by rule under underground injection control (UIC) regulations.

The sulfuric acid used to create the mining solution is being transported by railroad car to the mining site— across an American Indian reservations and ceded tribal territory— over tracks that are allegedly unsafe. Among tribal communities and non-Indian community residents adjacent to the tracks, the hauling has generated concern about the safety of using the railroad tracks for acid transport.

The mining process itself is a safety concern to nearby tribal and non-tribal residents. The transportation and mining process also are of concern to tribal and nontribal communities in the area because of possible adverse impacts on human health and the environment. Nearby residents also are worried about the potential harm to tribal cultural resources and to nontribal cultural activities.

To address those concerns, EPA has decided to carry out an environmental analysis — an intensive investigation virtually identical to an environmental impact statement. EPA is conducting the environmental analysis voluntarily because of its commitment to public welfare and its awareness of tribal trust responsibilities. The environmental analysis is an information gathering tool, to obtain information not previously gathered and analyzed. EPA will not be reworking what has already been done by the State. It will not be used to reach consensus on the final decision.

## Messages:

- EPA is concerned about the health and safety of the people living in the communities near Copper Range mine and adjacent to tracks where sulfuric acid is being transported.
- EPA is concerned about the potential impact to the environment and tribal resources from releases of regulated substances during transportation or mining.
- Copper Range mining project is a an international (Canada) and multi-State/multi-Tribe issue.
- EPA will do everything within its statutory authority— including powers stemming from its obligations under Federal trust responsibility — to protect public health and the environment and tribal resources.
- EPA shares tribal concerns about the cultural impacts on the land and on Lake Superior. EPA will work to protect the quality of water in Lake Superior and other nearby waters.
- EPA will be conducting an *environmental analysis* — a comprehensive, intensive study of the project and its environmental impacts. It is important to use this terminology to distinguish it from an *environmental impact statement* or *environmental assessment* within the meaning of the National Environmental Policy Act (NEPA) and its implementing regulations.

It is *NOT* (at this point, at any rate) an environmental assessment nor an environmental impact statement.

**Outreach activities:**

- ▶ Briefings for elected Federal, State, tribal, county, and municipal officials.
- ▶ Public availability sessions in communities to be identified along the tracks and near the mine.
- ▶ Public availability sessions at the Bad River, Red Cliff, and Keweenaw Bay Indian reservations.
- ▶ News media availability sessions (tv, radio, newspaper) in identified communities.
- ▶ Briefings for environmental groups
- ▶ Editorial board meetings with newspapers in area (this should be done with high-level EPA person, probably no lower than division director).

**Outreach tools:**

- ◆ Fact Sheets (as needed, but at least quarterly)
- ◆ News releases (as needed, but at least quarterly)
- ◆ Internet home page
- ◆ Public availability sessions
- ◆ On-air interviews with tv, radio
- ◆ "Partnering" letters to Federal, State, and tribal agencies
- ◆ Flow chart outlining what steps to be taken at what point in the environmental analysis
- ◆ 'Fax-Back' information system through OPA
- ◆ Customer-service response cards

## Responsibilities:

*Persons listed below in bold are the leads, and have responsibility for notifications. At least one backup person should be provided to assure coverage during the lead person's absence. Persons listed should provide the name and phone number of the back-up person. Also, they should provide Don de Blasio with names, titles, and phone numbers of the outside contacts for this strategy. These names and numbers are to expedite notification in case a back-up person has to make calls. This information will be included in subsequent revisions.*

- U.S. senators, representatives: **Mary Canavan**
- State senators, representatives, State environmental agency heads, State equivalents to Federal partners:  
**Ken Westlake (Michigan)**  
**Anne Rowan (Wisconsin)<sup>1</sup>**
- Tribal representatives: **James Cha**
- U.S. Department of the Interior: **James Cha**
- Great Lakes Fish and Wildlife Commission: **James Cha**
- Great Lakes Intertribal Council: **James Cha**
- Chippewa-Ottawa Treat Fishery Management Authority: **James Cha**
- Michigan Intertribal Council: **James Cha**
- Copper Range Co. agents, Federal Railroad Authority: **James Cha**
- U.S. Forest Service: **Al Fenedick**
- U.S. Fish and Wildlife Service: **Carol Alexander**
- U.S. Park Service: **Carol Alexander**
- Advisory Council on Historic Preservation: **Carol Alexander**
- State of Wisconsin Historic Preservation Office: **Carol Alexander**
- U.S. Geologic Survey: **Dave Werbach**
- Michigan permitting coordinator Steve Casey: **Dave Werbach**
- Environmental groups (Sierra Club, National Wildlife Federation, etc.): **Dave Werbach**
- Environmental justice issues: **Louise Clemency**
- Economic issues: **John Haugland**
- News media: **Don de Blasio**

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<sup>1</sup> Anne Rowan is listed at this time, but a new Wisconsin State Coordinator may be named soon. The new coordinator presumably would assume these responsibilities.

## News media contacts

Lead: Don de Blasio / 886-4360

Backup: Phillippa Cannon / 353-36218

Fax 353-1155

Ken Slifven, Public Information Director, MDEQ ..... 517/241-7398

fax 517/241-7401

Iron County Miner 216 Copper St Hurley, WI 54534 ..... 715/561-3405

Ironwood Globe 118 E. McLeod Ave Ironwood, MI 49938 ..... 906/932-2211

fax 906/774-1285

WJMS-WIMI 222 S. Lawrence Ironwood, MI 49938 ..... 906/932-2411

WUPM PO Box 107 Ironwood, MI 49938 ..... 906-932-5234

Ontonagon Herald PO Box 98 Ontonagon, MI 49953 ..... 906/884-2826

WUPY 610 Greenland Road Ontonagon, MI 49953 ..... 906/884-9668

Wakefield News 405 Sunday Lake St. Wakefield, MI 49968 ..... 906/224-9561

Ashland Press 122 Thirds St. W. Ashland, WI 54806 ..... 715/682-2313

fax 715/682-4699

WATW-WJJH 2320 Ellis Ave Ashland, WI 54806 ..... 715/682-2727

Vilas County News Review PO Box 1929 Eagle River, WI 54521 ..... 715/479-4421

Three Lakes News PO Box 1929 Eagle River, WI 54521 ..... 715/479-4421

WERL-WRJO PO Box 309 Eagle River, WI 54521 ..... 715-264-3481

Glidden Enterprise PO Box 128 Glidden, WI 54527 ..... 715/264-3481

Iron County Miner 216 Copper St Hurley, WI 54534 ..... 715/561-3405

WHRY PO Box 1450 Hurley, WI 54534 ..... 906/932-5234

Weekly Record PO Box 678 Mellen, WI 54546 ..... 715/274-3131

WDNR Public Info ..... to come

Indian Country Today (Joan Morrison) ..... 218/724-1395

American Metal Magazine (Aaron Ward) .....

Wisconsin public radio

Michigan public radio

### *Issues to be determined*

Do the following have role? If so, what is it and under what authority?

- ▶ **Superfund:** Is railroad or Copper Range Co. responsible for an emergency response plan in unincorporated areas? Across ceded territory? At all?
- ▶ **RCRA:** Is the acid being carried to the mine **hazardous waste**? What is to be done about disposal of acid after use in mine? What about acid residue in the mine shaft? - Greg Orloff
- ▶ **SDWA/UIC:** Is final disposal of the spent acid solution regulated? - Dave Werbach
- ▶ **Air:** Are there any air quality issues that have to be addressed? - Jeff Gahris
- ▶ **GLNPO:** Are there any issues that should be considered?
- ▶ **NPDES:** Is there an applicable regulation here? - John Coletti
- ▶ **EPCRA:** What right-to-know regulations apply? Is there a TRI regulation applicable?
- ▶ **Lake Superior Team:** What involvement will the team have?
- ▶ **NEPA:** What will the environmental analysis scope be? What other agencies/tribes should be involved? How should they be involved?

<i>other Stakeholders</i> <b>Partnering Agencies</b>	
Lead:	Dave Werbach / 886-4242
Backup(s):	To be identified
<b>U.S. Geologic Survey</b>	
Contact(s)/Phone	
<b>Michigan Department of Environmental Quality</b>	
Steve Casey, permitting coordinator ..... phone/fax to come	
<b>Environmental Groups</b>	
To be identified	

*Partnering Separate Agencies*

## News media contacts

Lead: Don de Blasio / 886-4360

Backup: Phillippa Cannon / 353-36218

Fax 353-1155

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Iron County Miner 216 Copper St Hurley, WI 54534 ..... 715/561-3405

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Weekly Record PO Box 678 Mellen, WI 54546 ..... 715/274-3131

WDNR Public Info ..... to come

Indian Country Today (Joan Morrison) ..... 218/724-1395

American Metal Magazine (Aaron Ward) .....

Wisconsin public radio *Bill Halstead*

Michigan public radio

# Communications Strategy Copper Range Mine

Revision 3

**Issue:** Copper Range Mine Co., under a State of Michigan permit is chemically mining copper using a sulfuric acid solution. EPA authorized the project on a pilot basis under a general underground injection control permit.

✓ Acid is being transported by ~~car~~ rail to the mining site through American Indian reservations and ~~ceded~~ tribal territory over tracks that are allegedly unsafe. Among tribal communities and non-Indian community residents adjacent to the tracks, the hauling has caused concern about the safety of using those tracks.

The mining procedures are a safety concern to nearby tribal and non-tribal residents. The hauling and mining procedure also are of concern to tribal and nontribal communities in the area because of possible adverse impacts on human health and environmental safety. Nearby residents also are worried about the potential harm to tribal cultural resources and to nontribal cultural activities.

To address those concerns, EPA has committed to carrying out an environmental analysis — an intensive investigation virtually identical to an environmental impact statement. EPA is conducting the environmental analysis voluntarily because of its commitment to public welfare and an awareness of tribal trust responsibilities.

## Messages:

- EPA is concerned about the health and safety of the people in the communities near Copper Range mine and adjacent to tracks where sulfuric acid is being transported.
- EPA is concerned about the potential impact to the environment and tribal resources from releases of regulated substances during transportation or mining.
- Copper Range mining project is a an international (Canada) and multi-State/multi-Tribe issue.
- EPA will do everything within its statutory authority— <sup>fulfill</sup> including its obligations under Federal trust responsibility — to protect public health and the environment.
- EPA shares tribal concerns about the cultural impacts on the land and on Lake Superior. EPA will work to protect the quality of water in Lake Superior and other nearby receptors.
- EPA will be conducting an *environmental analysis* — a comprehensive, intensive study of the project and its environmental impacts. It is important to use this terminology to distinguish it.

It is *NOT* (at this point, at any rate) an environmental assessment nor an environmental impact statement.

### **Outreach activities:**

- ▶ Briefings for elected Federal, State, <sup>tribal</sup> county, and municipal officials.
- ▶ Public availability sessions in communities to be identified along the tracks and near the mine.
- ▶ Public availability sessions at the Bad River, Red Cliff, and Keweenaw Bay Indian reservations.
- ▶ News media availability sessions (tv, radio, newspaper) in identified communities.
- ▶ Briefings for environmental groups
- ▶ Editorial board meetings with newspapers in area (this should be done with high-level EPA person, probably no lower than division director).

### **Outreach tools:**

- ◆ Fact Sheets (as needed, but at least quarterly)
- ◆ News releases (as needed, but at least quarterly)
- ◆ Internet home page
- ◆ Public availability sessions
- ◆ On-air interviews with tv, radio
- ◆ "Partnering" letters to <sup>4</sup> other Federal <sup>State, tribal</sup> agencies
- ◆ Flow chart outlining what steps to be taken at what point in the environmental analysis
- ◆ 'Fax-Back' information system through OPA
- ◆ Customer-service response cards

## Responsibilities:

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- State senators, representatives, State environmental agency heads, State equivalents to Federal partners:  
**Ken Westlake (Michigan)**  
**Anne Rowan (Wisconsin)<sup>1</sup>**
- Tribal representatives: **James Cha**
- U.S. Department of the Interior: **James Cha**
- Great Lakes Fish and Wildlife Commission: **James Cha**
- Great Lakes Intertribal Council: **James Cha**
- Chippewa-Ottawa Treat Fishery Management Authority: **James Cha**
- Michigan Intertribal Council: **James Cha**
- Copper Range Co. agents, Federal Railroad Authority: **James Cha**
- U.S. Forest Service: **Al Fenedick**
- U.S. Fish and Wildlife Service: **Carol Alexander**
- U.S. Park Service: **Carol Alexander**
- Advisory Council on Historic Preservation: **Carol Alexander**
- State of Wisconsin Historic Preservation Office: **Carol Alexander**
- U.S. Geologic Survey: **Dave Werbach**
- Michigan permitting coordinator Steve Casey: **Dave Werbach**
- Environmental groups (Sierra Club, National Wildlife Federation, etc.): **Dave Werbach**
- Environmental justice issues: **Louise Clemency**
- Economic issues: **John Haugland**
- News media: **Don de Blasio**

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<sup>1</sup> Anne Rowan is listed at this time, but a new Wisconsin State Coordinator may be named soon. The new coordinator presumably would assume these responsibilities.

## **Federal Congressional Contacts**

Lead: Mary J. Canavan / 353-3018

Backup: Philip Hoffman / 886-4957

Fax: 353-1120

### ***Michigan Congressional Contacts***

Senator Spencer Abraham

Todd Gustafson ..... 902/226-9466

Laurie Bink ..... 810/350-0510

Fax 810/350-0420

Senator Carl Levin

Chris Miller ..... 202/224-9110

Fax 202/224-1338

Representative Bart Stupak

Matt Johnson ..... 906/228-3700

Fax 906/228-2305

### ***Minnesota Congressional Contacts***

Senator Paul Wellstone

Ted Conwell ..... 202/224-5641

Fax 202/224-8438

Senator Rod Grams (uncommitted so far)

Representative James Oberstar<sup>2</sup>

Caroline Gabel ..... 202/225-6211

Fax 202/225-0699

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<sup>2</sup> Has contacted Headquarters

*Wisconsin Congressional Contacts*

Senator Herb Kohl

Eve Galanter ..... 608/264-5338

Fax 608/264-5473

Senator Russell Feingold

Mary Frances Repco ..... 202/224-8648

Fax 202/224-2725

Jeri Gabrielson ..... 414/276-7282

Fax 414/276-7284

(Obey) add  
Toby Roth

## **State of Michigan Contacts**

Lead: Ken Westlake / 353-1327

Backup: Anne Rowan / 353-9391

### *State Senators/Representatives by District*

Senator Don Kolvisto, 38th District ..... 517/373-7840

Representative Paul Tesanovich, 110th District ..... 517/373-0850

### *Michigan Department of Environmental Quality*

K.L. Cool, Deputy Director ..... 517/373-2329

### *Office of Governor John Engler*

Dana Cole, Environmental Policy Analyst ..... 517/373-7949

fax 517/335-0118

### *Michigan Department of Transportation*

Patrick Nowak, Director ..... 517/373-2040

### *Michigan Attorney General's Office*

Michael Leffler, Assistant AG for Environmental Protection ..... 517/373-7540

fax 517/335-6668

### **State of Wisconsin Contacts**

Lead: Anne Rowan (Until new State Coordinator named) / 353-9391

Backup: Ken Westlake / 353-1327

#### *State Senators/Representatives by District*

Contact(s)/Phone

#### *Wisconsin Department of Natural Resources*

Contact(s)/Phone

#### *Wisconsin Department of Transportation*

Contact(s)/Phone

### Issues to be determined

Do the following have role? If so, what is it and under what authority?

- ▶ **Superfund:** Is railroad or Copper Range Co. responsible for an emergency response plan in unincorporated areas? Across ceded territory? At all? *Glenn Cokus / Mark Howitz (CEPP)* *Chem Emer Resp Pgm)*
- ▶ **RCRA:** Is the acid being carried to the mine **hazardous waste**? What is to be done about disposal of acid after use in mine? What about acid residue in the mine shaft? *Greg Orloff* *Write up from RCRA*
- ▶ **SDWA/UIC:** Is final disposal of the spent acid solution regulated? *- Dave Werbach*
- ▶ **Air:** Are there any air quality issues that have to be addressed? *- Jeff Yahr 66794*
- ▶ **GLNPO:** Are there any issues that should be considered?
- ▶ **NPDES:** Is there an applicable regulation here? *- John Collette?*
- ▶ **EPCRA:** What right-to-know regulations apply? Is there a TRI regulation, applicable?
- ▶ **Lake Superior Team:** What involvement will the team have? J
- ▶ **NEPA:** Will Environmental Assessment or Environmental Impact Statement be conducted? If so, what will scope be? What other agencies/tribes should be involved? How should they be involved?

*EA*

# Communications Strategy Copper Range Mine

*Revision 3*

**Issue:** The Copper Range **Company** is chemically mining copper under a State of Michigan permit, using a sulfuric acid solution. EPA **determined that the pilot scale phase of the project was authorized by rule under the UIC regulations.**

**The sulfuric acid used to create the mining solution** is being transported by **railroad car** to the mining site **across** an American Indian reservation and ceded tribal territory, over tracks that are allegedly unsafe. **The transportation of this acid has generated concern among tribal communities and non-Indian community residents adjacent to the tracks about the safety of using the railroad tracks for acid transport.**

The **safety of the mining process itself is also** a concern to nearby tribal and non-tribal residents. **Both the transportation and mining process** are of concern to tribal and non-tribal communities in the area because of possible adverse impacts on human health and **the** environment. Nearby residents are also worried about the potential harm to tribal cultural resources and to tribal cultural activities.

To address those concerns, EPA has **decided** to carry out an environmental analysis - an intensive investigation virtually identical to an environmental impact statement. EPA is conducting the environmental analysis voluntarily because of its commitment to public welfare and **its** awareness of tribal trust responsibilities.

## **Messages:**

- EPA is concerned about the health and safety of the people **living in** the communities near Copper Range's mine and adjacent to tracks where sulfuric acid is being transported.
- EPA is concerned about potential impacts to the environment and tribal resources from releases of regulated substances during transportation or mining.
- Copper Range's mining project is a an international (Canada) and multi-State/multi-Tribe issue.
- EPA will do everything within its statutory authority- including **powers stemming from** its obligations under Federal trust responsibility - to protect public health and the environment **and tribal resources..**

- EPA shares tribal concerns about the cultural impacts on the land and on Lake Superior. EPA will work to protect the quality of water in Lake Superior and other nearby **waters**.
- EPA will be conducting an *environmental analysis* - a comprehensive, intensive study of the project and its environmental impacts. It is important to use this terminology to distinguish it **from an environmental impact statement or environmental assessment within the meaning of the National Environmental Policy Act (NEPA) and its implementing regulations**.

It is *NOT* (at this point, at any rate) an environmental assessment nor an environmental impact statement.

#### **Outreach activities:**

Briefings for elected Federal, State, county, and municipal officials.

Public availability sessions in communities to be identified along the tracks and near the mine.

Public availability sessions at the Bad River, Red Cliff, and Keweenaw Bay **Indian** reservations.

News media availability sessions (tv, radio, newspaper) in identified communities.

Briefings for environmental groups

Editorial board meetings with newspapers in area (this should be done with high-level EPA person, probably no lower than division director).

#### **Outreach tools:**

Fact Sheets (as needed, but at least quarterly)

News releases (as needed, but at least quarterly)

Internet home page

Public availability sessions

On-air interviews with tv, radio

Partnering letters to other Federal agencies

Flow chart outlining what steps to be taken at what point in the



environmental analysis

'Fax-Back' information system through OPA

Customer-service response cards

## **Responsibilities:**

*Persons listed below in bold are the leads, and have responsibility for notifications. At least one backup person should be provided to assure coverage during the lead person's absence. Persons listed should provide the name and phone number of the back-up person. Also, they should provide Don de Blasio with names, titles, and phone numbers of the outside contacts for this strategy. These names and numbers are to expedite notification in case a back-up person has to make calls. This information will be included in subsequent revisions.*

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Tribal representatives: **James Cha**

U.S. Department of the Interior: **James Cha**

Great Lakes Fish and Wildlife Commission: **James Cha**

Great Lakes Intertribal Council: **James Cha**

Chippewa-Ottawa Treat Fishery Management Authority: **James Cha**

Michigan Intertribal Council: **James Cha**

Copper Range Co. agents, Federal Railroad Authority: **James Cha**

U.S. Forest Service: **Al Fenedick**

U.S. Fish and Wildlife Service: **Carol Alexander**

U.S. Park Service: **Carol Alexander**

Advisory Council on Historic Preservation: **Carol Alexander**

State of Wisconsin Historic Preservation Office: **Carol Alexander**

U.S. **Geological** Survey: **Dave Werbach**

Michigan permitting coordinator Steve Casey: **Dave Werbach**

Environmental groups (Sierra Club, National Wildlife Federation, etc.): **Dave Werbach**

Environmental justice issues and **U.S. Army Corps of Engineers (?)**: **Louise Clemency**

Economic issues: **John Haugland**

News media: **Don de Blasio**

## **Federal Congressional Contacts**

Lead: Mary J. Canavan / 353-3018

Backup: Philip Hoffman / 886-4957

Fax: 353-1120

### ***Michigan Congressional Contacts***

Senator Spencer Abraham

Todd Gustafson902/226-9466

Laurie Bink810/350-0510

Fax 810/350-0420

Senator Carl Levin

Chris Miller202/224-9110

Fax 202/224-1338

Representative Bart Stupak

Matt Johnson906/228-3700

Fax 906/228-2305

### ***Minnesota Congressional Contacts***

Senator Paul Wellstone

Ted Conwell202/224-5641

Fax 202/224-8438

Senator Rod Grams (uncommitted so far)

Representative James Oberstar

Caroline Gabel202/225-6211

Fax 202/225-0699

### ***Wisconsin Congressional Contacts***

Senator Herb Kohl

Eve Galanter608/264-5338

Fax 608/264-5473

Senator Russell Feingold

Mary Frances Repco202/224-8648

Fax 202/224-2725

Jeri Gabrielson414/276-7282

Fax 414/276-7284

### **State of Michigan Contacts**

Lead: Ken Westlake / 353-1327

Backup: Anne Rowan / 353-9391

#### *State Senators/Representatives by District*

Senator Don Kolvisto, 38th District 517/373-7840

Representative Paul Tesanovich, 110th District 517/373-0850

#### *Michigan Department of Environmental Quality*

K.L. Cool, Deputy Director 517/373-2329

#### *Office of Governor John Engler*

Dana Cole, Environmental Policy Analyst 517/373-7949

fax 517/335-0118

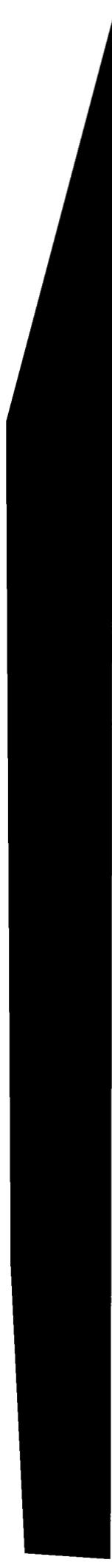
#### *Michigan Department of Transportation*

Patrick Nowak, Director 517/373-2040

#### *Michigan Attorney General's Office*

Michael Leffler, Assistant AG for Environmental Protection 517/373-7540

fax 517/335-6668



<b>State of Wisconsin Contacts</b>
Lead: Anne Rowan (Until new State Coordinator named) / 353-9391 Backup: Ken Westlake / 353-1327
<i>State Senators/Representatives by District</i> Contact(s)/Phone
<i>Wisconsin Department of Natural Resources</i> Contact(s)/Phone
<i>Wisconsin Department of Transportation</i> Contact(s)/Phone

### **Tribal/Copper Range Co. Contacts**

Lead: James Cha / 886-7153

Backups: Marc Radell / 886-7948 Fax 886-0747

Casey Ambutas / 353-1394 Fax 353-1120

Steve Dodge / 715-345-6327

Claudia Johnson-Schultz / 886-6108 Fax 886-0168

Jennifer Manville /

#### *Bad River Reservation*

Contact(s)/Phone

#### *Red Cliff Reservation*

Contact(s)/Phone

#### *Keweenaw Bay Indian Community*

Contact(s)/Phone

#### *Great Lakes Fish and Wildlife Commission*

Contact(s)/Phone

#### *U.S. Department of the Interior*

Contact(s)/Phone

#### *Great Lakes Intertribal Council*

Contact(s)/Phone

#### *Chippewa-Ottawa Treaty Fishery Management Authority*

Contact(s)/Phone

#### *Michigan Intertribal Council*

Contact(s)/Phone

#### *Federal Railroad Administration*

Contact(s)/Phone

#### *Copper Range Co. Agents*

Contact(s)/Phone

**Federal NEPA Agencies**

Lead:     Al Fenedick / 886-6872

Backup:   Michael MacMullen / 886-7342

*U.S. Forest Service*

Contact(s)/Phone(s)


<p><b>Endangered Species/Cultural Resources</b></p> <p>Lead: Carol Alexander / 886-4244</p> <p>Backup: Michael MacMullen / 886-7342</p> <p><i>U.S. Fish and Wildlife Service</i></p> <p>Contact(s) / Phone(s)</p> <p><i>U.S. Park Service</i></p> <p>Contact(s) / Phone(s)</p> <p><i>Advisory Council on Historic Preservation</i></p> <p>Contact(s) / Phone(s)</p> <p><i>State of Wisconsin Historic Preservation Office</i></p> <p>Contact(s) / Phone(s)</p>
--



<b>'Partnering' Agencies</b>
Lead: Dave Werbach / 886-4242
Backup(s): To be identified
<i>U.S. Geologic Survey</i>
Contact(s)/Phone
<i>Michigan Department of Environmental Quality</i>
Steve Casey, permitting coordinatorphone/fax to come
<i>Environmental Groups</i>
To be identified

### **News media contacts**

Lead: Don de Blasio / 886-4360

Backup: Phillippa Cannon / 353-36218

Fax 353-1155

Ken Slifven, Public Information Director, MDEQ517/241-7398

fax 517/241-7401

Iron County Miner 216 Copper St Hurley, WI 54534 715/561-3405

Ironwood Globe 118 E. McLeod Ave Ironwood, MI 49938906/932-2211

fax 906/774-1285

WJMS-WIMI 222 S. Lawrence Ironwood, MI 49938906/932-2411

WUPM PO Box 107 Ironwood, MI 49938906-932-5234

Ontonagon Herald PO Box 98 Ontonagon, MI 49953906/884-2826

WUPY 610 Greenland Road Ontonagon, MI 49953906/884-9668

Wakefield News 405 Sunday Lake St. Wakefield, MI 49968906/224-9561

Ashland Press 122 Thirds St. W. Ashland, WI 54806715/682-2313

fax 715/682-4699

WATW-WJJH 2320 Ellis Ave Ashland, WI 54806715/682-2727

Vilas County News Review PO Box 1929 Eagle River, WI 54521715/479-4421

Three Lakes News PO Box 1929 Eagle River, WI 54521715/479-4421

WERL-WRJO PO Box 309 Eagle River, WI 54521715-264-3481

Glidden Enterprise PO Box 128 Glidden, WI 54527715/264-3481

Iron County Miner 216 Copper St Hurley, WI 54534715/561-3405

WHRY PO Box 1450 Hurley, WI 54534 906/932-5234

Weekly Record PO Box 678 Mellen, WI 54546 715/274-3131

WDNR Public Infoto come

Indian Country Today (Joan Morrison) 218/724-1395

American Metal Magazine (Aaron Ward)

Wisconsin public radio

Michigan public radio

*Issues to be determined*

Do the following have role? If so, what is it and under what authority?

**Superfund:** Is railroad or Copper Range Co. responsible for an emergency response plan in unincorporated areas? Across ceded territory? At all?

**RCRA:** Is the acid being carried to the mine **hazardous waste**? What is to be done about disposal of acid after use in mine? What about acid residue in the mine shaft?

**SDWA/UIC:** **How is** final disposal of the spent acid solution regulated?

**CAA:** Are there any air quality issues that have to be addressed?

**GLNPO:** Are there any issues that should be considered?

**NPDES:** Is there an applicable regulation here:

**EPCRA:** What right-to-know regulations apply? Is there a TRI regulation applicable?

**Lake Superior Team:** What involvement will the team have?

**NEPA:** Will Environmental Assessment or Environmental Impact Statement be conducted? If so, what will scope be? What other agencies/tribes should be involved? How should they be involved?

**From:** Jennifer Manville  
**To:** deblasio-don  
**Date:** 8/26/96 4:54am  
**Subject:** Copper Range Meetings

Responding to your E-mail of this week. I'm planning to attend the meetings you have scheduled with the Michigan communities. Please transmit those dates/locations as soon as possible. Thanks.

### **Tribal/Copper Range Co. Contacts**

Lead: James Cha / 886-7153

Backups: Marc Radell / 886-7948 Fax 886-0747

Casey Ambutas / 353-1394 Fax 353-1120

Steve Dodge / 715-345-6327

Claudia Johnson-Schultz / 886-6108 Fax 886-0168

Jennifer Manville /

#### *Bad River Reservation*

Contact(s)/Phone

#### *Red Cliff Reservation*

Contact(s)/Phone

#### *Keweenaw Bay Indian Community*

Contact(s)/Phone

#### *Great Lakes Fish and Wildlife Commission*

Contact(s)/Phone

#### *U.S. Department of the Interior*

Contact(s)/Phone

*move to new list*

#### *Great Lakes Intertribal Council*

Contact(s)/Phone

#### *Chippewa-Ottawa Treaty Fishery Management Authority*

Contact(s)/Phone

#### *Michigan Intertribal Council*

Contact(s)/Phone

#### *Federal Railroad Authority*

Contact(s)/Phone

*move to new list*

#### *Copper Range Co. Agents*

Contact(s)/Phone

<b>Federal NEPA Agencies</b>
Lead: Al Fenedick / 886-6872
Backup: Michael MacMullen / 886-7342
<i>U.S. Forest Service</i>
Contact(s)/Phone(s)

<p style="text-align: center;"><b>Endangered Species/Cultural Resources</b></p> <p>Lead: Carol Alexander / 886-4244</p> <p>Backup: Michael MacMullen / 886-7342</p> <tr><td><p style="text-align: center;"><i>U.S. Fish and Wildlife Service</i></p><p>Contact(s) / Phone(s)</p></td></tr> <tr><td><p style="text-align: center;"><i>U.S. Park Service</i></p><p>Contact(s) / Phone(s)</p></td></tr> <tr><td><p style="text-align: center;"><i>Advisory Council on Historic Preservation</i></p><p>Contact(s) / Phone(s)</p></td></tr> <tr><td><p style="text-align: center;"><i>State of Wisconsin Historic Preservation Office</i></p><p>Contact(s) / Phone(s)</p></td></tr>	<p style="text-align: center;"><i>U.S. Fish and Wildlife Service</i></p> <p>Contact(s) / Phone(s)</p>	<p style="text-align: center;"><i>U.S. Park Service</i></p> <p>Contact(s) / Phone(s)</p>	<p style="text-align: center;"><i>Advisory Council on Historic Preservation</i></p> <p>Contact(s) / Phone(s)</p>	<p style="text-align: center;"><i>State of Wisconsin Historic Preservation Office</i></p> <p>Contact(s) / Phone(s)</p>
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<p style="text-align: center;"><i>U.S. Park Service</i></p> <p>Contact(s) / Phone(s)</p>				
<p style="text-align: center;"><i>Advisory Council on Historic Preservation</i></p> <p>Contact(s) / Phone(s)</p>				
<p style="text-align: center;"><i>State of Wisconsin Historic Preservation Office</i></p> <p>Contact(s) / Phone(s)</p>				

# Communications Strategy Copper Range Mine

## MMR's 8/19/96 Comments

**Issue:** Copper Range Mine Co., under a State of Michigan permit for a pilot project, is chemically mining copper using hydrochloric a sulfuric acid solution. EPA has authorized the project on a pilot basis under a general underground injection control permit. The acid is being hauled transported via rail car to the mining site across through American Indian reservations and ceded tribal territory over tracks that are allegedly unsafe. The hauling has caused concern about among community residents adjacent to the tracks about the safety of using those tracks. The mining procedure is also an issue of concern about safety to nearby residents. The hauling and mining procedures also are of concern to tribal communities in the area not only because of human health and environmental safety, but also because of the potential harm to tribal cultural resources. disturbances that the mining causes.

### Messages:

- EPA is concerned about the health and safety of the people in the communities near Copper Range mine and adjacent to tracks where hydrochloric sulfuric acid is being transported.
- EPA is concerned about the potential impact to the environment and tribal resources of any releases of regulated substances from the transportation or mining processes.
- Copper Range mine is a an international (tribes and Canada) and multi-state/tribal issue.
- EPA will do everything within its statutory authority—including its obligations under Federal trust responsibility—to protect public health and the environment and fulfill its trust responsibility to the affected tribes.
- EPA shares tribal concerns about the cultural impacts on the land and on Lake Superior. EPA will ensure that Lake Superior water quality and other environmental receptors are is protected.

**draft**

**Outreach activities:**

- ▶ Public availability sessions in communities to be identified along the tracks and near the mine.
- ▶ Public availability sessions at the Bad River, Red Cliff, and Keweenaw Bay Indian reservations.
- ▶ News media availability sessions (tv, radio, newspaper) in identified communities.
- ▶ Editorial board meetings with newspapers in area (this should be done with high-level EPA person, probably no lower than division director).

**Outreach tools:**

- ◆ Fact Sheets (as needed)
- ◆ News releases (as needed)
- ◆ Internet home page
- ◆ Public availability sessions
- ◆ On-air interviews with tv, radio

**Responsibilities:**

*Persons listed should provide the name of a back-up person who can be reached in when they are not available. Also, they should provide Don de Blasio with names, titles, and phone numbers of outside contacts. These names and numbers are to expedite notification in case a back-up person has to make calls. This information will be included in subsequent revisions.*

- U.S. senators, representatives: **Mary Canavan**
- State senators, representatives, State environmental agency heads: **Ken Westlake, Anne Rowan**
- Tribal representatives: **James Cha Casey Ambutas, Claudia Johnson-Schultz**
- U.S. Department of the Interior: **James Cha**
- Great Lakes Fish and Wildlife Commission: **James Cha**
- Great Lakes Intertribal Council: **James Cha**
- Chippewa-Ottawa Treat Fishery Management Authority: **James Cha**
- Michigan Intertribal Council: **James Cha**
- Copper Range Co. agents, Federal Railroad Authority: **James Cha**
- Forest Service: **Al Fenedick**
- U.S. Fish and Wildlife Service: **Al Fenedick**
- U.S. Park Service: **Al Fenedick**
- U.S. Geologic Survey: **Dave Werbach**
- Michigan permitting coordinator Steve Casey: **Dave Werbach**
- Environmental groups (Sierra Club, National Wildlife Federation, etc.): **Dave Werbach**
- Evaluation of endangered species and cultural issues: **Carol Alexander**

Ambassadors 3-1394 / 3-1128  
Clausen 66108 / 60168

dodge 715 / 345-6327

manville

Radell

67948 60747

- Economic issues: **John Haugland**
- News media: **Don de Blasio**

### *Issues to be determined*

**Do the following have role? If so, what is it and under what authority?**

- ▶ **Superfund:** Is railroad or Copper Range Co. responsible for an emergency response plan in unincorporated areas? Across ceded territory? At all?
- ▶ **RCRA:** Is the acid being carried to the mine ~~toxic~~ **hazardous waste**? What is to be done about disposal of acid after use in mine? What about acid residue in the mine shaft?
- ▶ **SDWA/UIC:** Is final disposal of the spent acid solution regulated?
- ▶ **Air:** Are there any air quality issues that have to be addressed?
- ▶ **GLNPO:** Are there any issues that should be considered?
- ▶ **NPDES:** Is there an applicable regulation here:
- ▶ **EPCRA:** What right-to-know regulations apply? Is there a TRI regulation applicable?
- ▶ **NEPA:** Will EA or EIS be conducted? What will scope be? What other agencies/tribes should be involved?
- ▶ **Lake Superior Team:** What involvement will the team have?

## Responsibilities:

*Persons listed should provide the name of a back-up person who can be reached in when they are not available. Also, they should provide Don de Blasio with names, titles, and phone numbers of outside contacts. These names and numbers are to expedite notification in case a back-up person has to make calls. This information will be included in subsequent revisions.*

- U.S. senators, representatives: **Mary Canavan**
- State senators, representatives, State environmental agency heads: **Ken Westlake, Anne Rowan** 31327 34391 31153
- Tribal representatives: **James Cha**
- U.S. Department of the Interior: **James Cha**
- ✓ ■ Great Lakes Fish and Wildlife Commission: **James Cha**
- Great Lakes Intertribal Council: **James Cha**
- ✓ ■ Chippewa-Ottaw Treat Fishery Management Authority: **James Cha**
- ✓ ■ Michigan Intertribal Council: **James Cha**
- Copper Range Co. agents, Federal Railroad Authority: **James Cha**
- ✓ ■ Forest Service: **Al Fenedick** 66812
- ✓ ■ U.S. Fish and Wildlife Service: **Al Fenedick**
- U.S. Park Service: **Al Fenedick**
- U.S. Geologic Survey: **Dave Werbach** 34242
- Michigan permitting coordinator Steve Casey: **Dave Werbach**
- Environmental groups (Sierra Club, National Wildlife Federation, etc.): **Dave Werbach**
- Evaluation of endangered species and cultural issues: **Carol Alexander** 34244
- Economic issues: **John Haugland** 34853
- News media: **Don de Blasio**

\*6 PROTEST: CHIPPEWAS END BLOCKADE OF CHEMICAL SHIPMENTS

A 28-day blockade of a remote Wisconsin Central Ltd. rail line by Chippewa Indians protesting chemical shipments to a Michigan copper mine ended on 8/18. The Chippewa claimed shipments of sulfuric acid, which are injected into the ground at the mine site as part of the mining process, pose an environmental hazard and threaten groundwater (GREENWIRE, 8/5).

The Chippewa on 8/18 dismantled their tent and log blockade after four days of negotiations between a federal mediator, Wisconsin Central and the Bad River Chippewa Tribal Council. Under the agreement reached, no sulfuric acid shipments will resume along the 77-mile rail line and the Chippewa will now seek to pressure the US EPA for a full environmental impact statement on the mine's operations.

But Robert Johnson of Copper Range Co., the mine operator, said the mine still needs the sulfuric acid to run. Under a pilot program, Copper Range has been cleared to recycle acid on-site in a small portion of the mine (Gregory Johnson, JO. OF COMMERCE, 8/20).

===== ENERGY AND NATURAL RESOURCES =====

substantially the same as an EIS

HQ may have told RA that can't be an EIS

Corps of Engineers may have jurisdiction on  
the turtle over the river Bad River

FRA has jurisdiction

working w/ other Fed agencies

= analysis potential impacts not just tribal

= Enviro Justice House Clemency

= dates as quickly as possible

= voluntary project

= Customer service: response cards

→ flow charts as outreach tool

● fax back via J. Kelley -

→ Issues: Don't tailor just to tribe  
(partnering)

= letters to other fed agencies/outreach. Chas/Verbock

= Enforcement Compliance Team  
multidirectional inspection

Shen

130  
✓

# Communications Strategy Copper Range Mine

**Issue:** The Copper Range Co., under a state ground water discharge permit issued by the Michigan Department of Environmental Quality (MDEQ), is chemically mining copper using a sulfuric acid solution. The concentrated acid is being hauled to the mining site across reservation land and ceded tribal territory, over railroad tracks that are allegedly unsafe. The transportation of sulfuric acid via railroad has generated concern among community residents adjacent to the tracks, regarding the safety of using those tracks to transport such a hazardous substance. The mining procedure is also an issue of concern to nearby residents. Both issues have generated concern among tribal communities in the area, not only with regard to human health and environmental safety, but also in reference to the potential disturbance of cultural resources.

## **Messages:**

- EPA is concerned about the health and safety of people living in the communities near the Copper Range mine and adjacent to tracks where sulfuric acid is being transported.
- Copper Range's solution mining project at the White Pine Mine is a an international (tribes and Canada) and multi-State issue.
- EPA will do everything within its statutory authority- including obligations stemming from the government's Federal trust responsibility - to protect public health and the environment.
- EPA shares tribal concerns about the potential cultural impacts on the affected land and on Lake Superior. EPA will ensure that Lake Superior water quality is protected.

## **Outreach activities:**

Public availability sessions in communities to be identified along the tracks and near the mine.

Public availability sessions at the Bad River, Red Cliff, and Keweenaw Bay Indian reservations.

draft

draft

News media  
availability sessions (tv, radio, newspaper) in identified communities.

Editorial board meetings with newspapers in area (this should be done  
with high-level EPA person, probably no lower than division director).

**Outreach tools:**

Fact Sheets (as needed)

News releases (as needed)

Internet home page

Public availability sessions

On-air interviews with tv, radio

**Responsibilities:**

*Persons listed should provide the name of a back-up person who can be reached when they are not available. Also, they should provide Don de Blasio with names, titles, and phone numbers of outside contacts. These names and numbers will serve to expedite notification in case a back-up person has to make calls. This information will be included in subsequent revisions.*

U.S. senators, representatives: **Mary Canavan**

State senators, representatives, State environmental agency heads: **Ken Westlake, Anne Rowan**

Tribal representatives: **Claudia Johnson-Schultz, James Cha, Marc Radell, Steve Dodge, Casey Ambutas**

U.S. Department of the Interior: **James Cha**

Great Lakes Fish and Wildlife Commission: **Claudia Johnson-Schultz, James Cha, Marc Radell, Steve Dodge, Casey Ambutas**

Great Lakes Intertribal Council: **Claudia Johnson-Schultz, James Cha, Marc Radell, Steve Dodge, Casey Ambutas**

Chippewa-Ottaw Treat Fishery Management Authority: **Claudia Johnson-Schultz, James Cha, Marc Radell, Steve Dodge, Casey Ambutas**

Michigan Intertribal Council: **Claudia Johnson-Schultz, James Cha, Marc Radell, Steve Dodge, Casey Ambutas**

Copper Range Co. & agents, Wisconsin Central, Ltd., Federal Railroad Administration: **James Cha, Marc Radell**

Forest Service: **Al Fenedick**

U.S. Fish and Wildlife Service: **Al Fenedick**

U.S. Park Service: **Al Fenedick**

U.S. Geologic Survey: **Dave Werbach**

Michigan permitting coordinator Steve Casey: **Dave Werbach**

Environmental groups (Sierra Club, National Wildlife Federation, etc.):



**Dave Werbach, James Cha**

Evaluation of endangered species and cultural issues: **Carol Alexander**

Economic issues: **John Haugland**

News media: **Don de Blasio**

## *Issues to be determined*

**Do the following have role? If so, what is it and under what authority?**

**Superfund:** Is railroad or Copper Range Co. responsible for an emergency response plan in unincorporated areas? Across ceded territory? At all?

**draft**

**RCRA/UIC:** Is the acid being carried to the mine **toxic waste**? Is disposal of acid after use in mine Class V well or Class I? What about acid residue in the mine shaft?

**Air:** Are there any air quality issues that have to be addressed?

**GLNPO:** Are there any issues that should be considered?

**NPDES:** Is there an applicable regulation here?

**EPCRA:** What right-to-know regulations apply? Is there a TRI regulation applicable?

**Lake Superior Team:** What involvement will the team have?

# Communications Strategy Copper Range Mine

**Issue:** Copper Range Mine Co., under a State of Michigan permit for a pilot project, is chemically mining copper using hydrochloric acid. This acid is being hauled to the mining site across ceded tribal territory over tracks that are allegedly unsafe. The hauling has caused concern about community residents adjacent to the tracks about the safety of using those tracks. The mining procedure is an issue of concern about safety to nearby residents. The hauling and mining procedure also are of concern to tribal communities in the area not only because of human health and environmental safety, but because of the cultural disturbances that the mining causes.

*Aware of  
tribal trust  
but recognition  
by general public*

## **Messages:**

- EPA is concerned about the health and safety of the people in the communities near Copper Range mine and adjacent to tracks where hydrochloric acid is being transported.
- Copper Range mine is a an international (tribes and Canada) and multi-State issue.
- EPA will do everything within its statutory authority— including its obligations under Federal trust responsibility — to protect public health and the environment.
- EPA shares tribal concerns about the cultural impacts on the land and on Lake Superior. EPA will ensure that Lake Superior water quality is protected.

*work to protect & other receptors*

## **Outreach activities:**

- ▶ Public availability sessions in communities to be identified along the tracks and near the mine.
- ▶ Public availability sessions at the Bad River, Red Cliff, and Keweenaw Bay Indian reservations.
- ▶ News media availability sessions (tv, radio, newspaper) in identified communities.
- ▶ Editorial board meetings with newspapers in area (this should be done with high-level EPA person, probably no lower than division director).

- ▶ elected officials
- ▶ environmental groups

## *Issues to be determined*

**Do the following have role? If so, what is it and under what authority?**

- **Superfund:** Is railroad or Copper Range Co. responsible for an emergency response plan in unincorporated areas? Across ceded territory? At all?
- **RCRA:** Is the acid being carried to the mine **toxic waste**? What is to be done about disposal of acid after use in mine? What about acid residue in the mine shaft?
- **Air:** Are there any air quality issues that have to be addressed?
- **GLNPO:** Are there any issues that should be considered?
- **NPDES:** Is there an applicable regulation here:
- **EPCRA:** What right-to-know regulations apply? Is there a TRI regulation applicable?
- **Lake Superior Team:** What involvement will the team have?

### **Outreach tools:**

◆ Fact Sheets (as needed)

◆ News releases (as needed)

◆ Internet home page

◆ Public availability sessions

◆ On-air interviews with tv, radio

◆ *Flow chart of process*

*but at least quarterly*

**From:** KEN WESTLAKE  
**To:** DEBLASIO-DON  
**Date:** 8/23/96 2:26pm  
**Subject:** copper range comm strat revision 8/21 -Reply

Don:

Here are my contributions to the contact list for Copper Range communications strategy.

Note that Steve Casey is MDEQ's prime technical contact on this project. He is not with MDNR, since jurisdiction flowed to MDEQ upon its creation.

MI Dept of Environmental Quality: Chad McIntosh, Deputy Director  
517-241-7392; fax: 517-241-7401  
Ken Silfven, Public Info Director 517-241-7398  
fax: 517-241-7401

MI Dept of Natural Resources. Director K.L. Cool, 517-373-2329  
fax: 517-335-4242

Office of MI gov. John Engler: Ms. Dana Cole, envir. policy analyst  
517-373-7949, fax: 517-335-0118

MI Dept. of Transportation: Patrick Nowak, Director 517-373-2040

MI Attorney General's office: Michael Leffler, Asst AG for environmental protection,  
517-373-7540, fax: 517-335-6668

MI State Sen. Don Koivisto (38th District) 517-373-7840

MI State Representative Paul Tesanovich (110th District) 517-373-0850

Anne rowan is my back-up for the time being, until Terry Roundtree comes on board as Shirley Dorsey's replacement.

### **EPA'S LIMITATIONS**

An issue that was raised at several public meetings was why EPA ~~'s filing of~~ doesn't file an injunction to stop the pilot project.

Only if there is a proven threat to an underground drinking-water source could EPA stop the pilot project. Otherwise EPA does not have a legal or technical basis for filing an injunction to stop the pilot project.

In fact, at this point, EPA has determined that the

pilot project does not pose a significant risk to human health or the environment. This determination is based on an extensive review of the Copper Range permit application and its supporting data, supplemental data from the company, the Michigan Department of Environmental Quality permit, Federal Railway Administration, U.S. Geologic Survey reviews with comments, and EPA's technical staff, including mining experts in the Office of Solid Waste.**EPA CONTACTS**

David Werbach  
U.S. EPA Region 5  
UIC Direct Implementation Team (WU-17J)  
77 West Jackson Blvd.  
Chicago, IL 60604  
312/886-4242  
Fax 312/886-4235  
E-mail [werbach.david@epamail.epa.gov](mailto:werbach.david@epamail.epa.gov)

Don de Blasio  
U.S. EPA Region 5  
Office of Public Affairs (P-19J)  
77 West Jackson Blvd.  
Chicago, IL 60604  
312/886-4360  
Fax-312/353-1155  
E-mail [deblasio.don@epamail.epa.gov](mailto:deblasio.don@epamail.epa.gov)